

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL FIORITO,  
Petitioner,  
v.  
BREWER,  
Respondent.

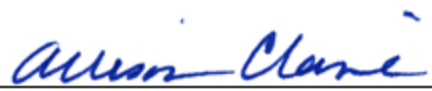
No. 2:23-cv-00758 WBS AC P

ORDER

Petitioner is a federal prisoner proceeding pro se with a habeas corpus petition filed pursuant to 28 U.S.C. § 2241. On February 7, 2024, respondent filed a motion to dismiss the petition. ECF No. 10. Petitioner has not responded to the motion.

Accordingly, IT IS HEREBY ORDERED that within twenty-one days after the filing date of this order, petitioner shall file and serve an opposition or statement of non-opposition to the pending motion to dismiss. Failure to comply with this order will result in a recommendation that this action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED: March 18, 2024

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE